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Debtor-in-Possession*

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

In re:

HOLLISTER CONSTRUCTION SERVICES, LLC,¹

Chapter 11

Debtor.

Case No. 19-27439 (MBK)

**AMENDED² NOTICE OF AGENDA OF MATTERS SCHEDULED
FOR HEARING ON FEBRUARY 13, 2020 AT 10:00 A.M. (ET)**

CONTINUED MATTERS

1. Motion of Herc Rentals, Inc. For Entry Of An Order (1) Lifting the Automatic Stay Pursuant to 11 U.S.C. §362 and (2) Permitting Herc Rentals, Inc. to Remove its Property from Various Projects (“Herc Stay Relief Motion”) [Docket No. 368; Filed 10/23/19], with respect to the Latitude, Hub and FDU Projects only.

Related Documents:

- a) Certificate of Service filed by Herc Rentals, Inc. [Docket No. 423; Filed 11/6/19]
- b) Certificate of Service filed by Arch Insurance Company and Arch Reinsurance Company [Docket No. 465; Filed 11/8/19]

¹ The Debtor in this chapter 11 case and the last four digits of its taxpayer identification number is: Hollister Construction Services, LLC (5404).

² Amended items appear in **bold**.

- c) Determination of Adjournment Request (Granted) [Docket No. 685; Filed 12/19/19]
- d) Order Granting in Part the Motion of Herc Rentals, Inc. (1) Lifting the Automatic Stay Pursuant to 11 U.S.C. § 362 and (2) Permitting Herc Rentals, Inc. to Remove its Property from Various Projects ("Order Granting Herc's Motion in Part") [Docket No. 704; Entered 12/23/19]
- e) Determination of Adjournment Request (Granted) [Docket No. 722; Filed 12/30/19]
- f) Determination of Adjournment Request (Granted) [Docket No. 758; Filed 1/8/20]
- g) Determination of Adjournment Request (Granted) [Docket No. 810; Filed 1/15/20]
- h) Determination of Adjournment Request (Granted) [Docket No. 904; Filed 2/5/20]

Objection Deadline: Originally, November 8, 2019 at 5:00 p.m. (ET) and extended for the Debtor to November 14, 2019 at 10:00 a.m. (ET)

Responses Received:

- i) Limited Objection and Reservation of Rights by Arch Insurance Company and Arch Reinsurance Company to Herc Stay Relief Motion [Docket No. 462; Filed 11/7/19]
- j) Debtor's Limited Objection to Herc Stay Relief Motion [Docket No. 503; Filed 11/14/19]

Status: This portion of the Herc Stay Relief Motion was adjourned from the 1/16/20 hearing. The Debtor and Herc are negotiating a resolution of this matter, with the goal of submitting a consent order at or prior to the hearing. A request to adjourn this matter to the hearing on March 5, 2020 at 10:00 a.m has been submitted to the Court and is pending.

The portion of the Herc Stay Relief Motion concerning the Rutgers Fuel Tank only was withdrawn under the Order Granting Herc's Motion in Part [Docket No. 704].

2. Herc Rentals, Inc.'s Amended Application For Allowance And Payment Of Administrative Expense Claim Pursuant To 11 U.S.C. § 503(b)(1)(A) [Docket No. 607; Filed 12/5/19]

Related Documents:

- a) Application For Allowance And Payment Of Administrative Expense Claim Pursuant To 11 U.S.C. § 503(b)(1)(A) [Docket No. 546; Filed

11/20/19]

- b) Determination of Adjournment Request (Granted) [Docket No 715; Filed 12/26/19]
- c) Determination of Adjournment Request (Granted) [Docket No 810; Filed 1/15/20]
- d) Determination of Adjournment Request (Granted) [Docket No 845; Filed 1/23/20]
- e) Affidavit of Service [Docket No. 865; Filed 1/27/20]
- f) Determination of Adjournment Request (Granted) [Docket No. 904; Filed 2/5/20]

Objection Deadline: Originally, December 26, 2019 at 4:00 p.m. (ET), extended for the Debtor to January 22, 2020 at 12:00 p.m. (ET).

Responses Received:

- g) Debtor's Objection to Herc Rentals, Inc.'s Application For Allowance And Payment Of Administrative Expense Claim Pursuant To 11 U.S.C. § 503(b)(1)(A) [Docket No. 839; Filed 1/22/20]

Status: The parties have been working to reach a resolution of the Motion without incurring the expense of litigation. A request to adjourn this matter to the hearing on March 5, 2020 at 10:00 a.m has been submitted to the Court and is pending.

- 3. Motion of Interlink Transport Technologies, Inc. (dba MSC Technology (North America) Inc.) for Entry of an Order (I) Granting It Relief from the Automatic Stay to Terminate Construction Contract, or in the Alternative, (II) Compelling the Debtor to Immediately Reject the Construction Contract [Docket No. 591; Filed 12/2/19]

Related Documents:

- a) Application to Shorten Time [Docket No. 592; Filed 12/2/19]
- b) Order Granting Application to Shorten Time [Docket No. 593; Entered 12/2/19]
- c) Certificate of Service [Docket No. 595; Filed 12/2/19]
- d) Determination of Adjournment Request (Granted) [Docket No. 866; Filed 1/28/20].

Objection Deadline: Originally, objections to be heard at the January 29, 2020 hearing. The objection deadline has been adjourned by mutual agreement of the parties.

Responses Received:

e) None.

Status: The Debtor and Interlink Transport Technologies, Inc. (dba MSC Technology (North America) Inc.) have agreed to adjourn this evidentiary hearing on the Motion while they continue settlement discussions. A request to adjourn this matter to March 12, 2020 at 10:00 a.m. has been submitted to the Court and is pending.

4. MixOnSite USA, Inc.'s Motion to Modify Stay to Permit Prosecution of Previously-Filed Construction Lien Claim Foreclosure Action (the "Motion") [Docket No. 848; Filed 1/23/20,]

Related Documents:

- a) Application to Shorten Time [Docket No. 849; Filed 1/23/20]
- b) Amended Application to Shorten Time [Docket No. 851; Filed 1/24/20]
- c) Order Granting Application to Shorten Time [Docket No. 854; Entered 1/24/20]
- d) Certificate of Service [Docket No. 900; Filed 2/5/20]

Objection Deadline: Objections may be presented orally at the hearing.

Responses Received:

e) Objection of Newark Warehouse Urban Renewal, LLC and Newark Warehouse Redevelopment Company, LLC to Motion of MixOnSite USA, Inc. to Modify Stay to Permit Prosecution of Construction Lien Claim Foreclosure Action [Docket No. 925; Filed 2/10/20]

Status: MixOnSite USA, Inc has requested an adjournment of the Motion until the Court has reached its decision on Newark Warehouse Urban Renewal, LLC and Newark Warehouse Redevelopment Company, LLC (the "NWR Entities")'s Motion to Enforce the Automatic Stay [Docket No. 740]. An adjournment request was submitted to the Court by counsel for the NWR Entities and is pending.

5. Pre-Trial Conference on Complaint re: Hollister Construction Services, LLC v. KR Masonry L.L.C. [Adv. Proc. No. 19-02244]

Related Documents:

- a) Adversary Complaint of Hollister Construction Services, LLC [Docket No. 1; Filed 11/7/19]
- b) Summons [Docket No. 2; Issued 11/8/19]

- c) Notice of Adjournment of Pre-Trial Conference [Docket No. 3; Filed 11/25/19]
- d) Affidavit of Service [Docket No 3; Filed 12/2/19]
- e) Stipulation Extending Time for Defendant to Answer or Otherwise Respond to Adversary Complaint [Docket No. 6; Filed 12/11/19]
- f) Stipulation Extending Time for Defendant to Answer or Otherwise Respond to Adversary Complaint [Docket No. 7; Filed 12/26/19]
- g) Stipulation Extending Time for Defendant to Answer or Otherwise Respond to Adversary Complaint [Docket No. 8; Filed 1/8/20]
- h) Stipulation Extending Time for Defendant to Answer or Otherwise Respond to Adversary Complaint [Docket No. 9; Filed 1/21/20]
- i) Determination of Adjournment Request (Granted) [Docket No. 10; Filed 1/21/20]
- j) Determination of Adjournment Request (Granted) [Docket No. 11; Filed 2/3/20]
- k) Stipulation Extending Time for Defendant to Answer or Otherwise Respond to Adversary Complaint [Docket No. 12; Filed 2/3/20]

Response/Answer Deadline: Originally, December 9, 2019. Extended to February 21, 2020 by agreement of the parties.

- l) None.

Scheduling Order: None.

Status: The parties have been working to reach a resolution of this matter without incurring the expense of litigation. A request to adjourn this matter to a hearing on March 26, 2020 at 10:00 a.m has been submitted to the Court and is pending.

- 6. Pre-Trial Conference on Complaint re: Hollister Construction Services, LLC v. Direct Cabinet Sales of Red Bank Inc. [Adv. Proc. No. 19-02251]

Related Documents:

- a) Adversary Complaint of Hollister Construction Services, LLC [Docket No. 1; Filed 11/7/19]
- b) Summons [Docket No. 2; Issued 11/8/19]
- c) Affidavit of Service [Docket No 3; Filed 11/13/19]
- d) Notice of Adjournment of Pre-Trial Conference [Docket No. 4; Filed 11/25/19]

- e) Stipulation Extending Time for Defendant to Answer or Otherwise Respond to Adversary Complaint [Docket No. 7; Filed 12/3/19]
- f) Stipulation Extending Time for Defendant to Answer or Otherwise Respond to Adversary Complaint [Docket No. 8; Filed 12/31/19]
- g) Stipulation Extending Time for Defendant to Answer or Otherwise Respond to Adversary Complaint [Docket No. 9; Filed 1/20/20]
- h) Determination of Adjournment Request (Granted) [Docket No. 10; Filed 1/23/20]
- i) Stipulation Extending Time for Defendant to Answer or Otherwise Respond to Adversary Complaint [Docket No. 11; Filed 2/5/20]

Response/Answer Deadline: Originally, December 9, 2019. Extended to March 6, 2020 by agreement of the parties.

- j) None.

Scheduling Order: None.

Status: The Debtor filed a motion to approve settlement of this adversary proceeding on February 10, 2020 [Docket No. 923]. A request to adjourn this matter to the hearing on March 5, 2020 at 10:00 a.m has been submitted to the Court and is pending.

- 7. Status Conference on Complaint re: Newark Warehouse Urban Renewal, LLC, et al. v. Hollister Construction Services, LLC et al. [Adv. Proc. No. 19-02222]

Related Documents:

- a) Copy of District Court Order of Referral [Docket No. 1; Filed 10/29/19]
- b) Determination of Adjournment Request (Granted) [Docket No. 6; Filed 11/20/19]
- c) Determination of Adjournment Request (Granted) [Docket No. 9; Filed 1/22/20].

Responses Received:

- d) Hollister Construction Services, LLC's Answer, Counterclaim and Third-Party Complaint [Docket No. 3; Filed 10/29/19]

Scheduling Order: None.

Status: The parties continue to engage in settlement discussions. A request to adjourn this status conference to March 26, 2020 has been submitted to the Court and is pending.

8. Motion of Myrage, LLC c/o Atlantic Management for Relief from the Automatic Stay [Docket No. 725; Filed 12/31/19]

Related Documents:

- a) None.

Objection Deadline: Originally, January 16, 2020 at 4:00 p.m., extended to January 20, 2020 at 4:00 p.m. by consent of the parties.

Responses Received:

- b) Debtor's Objection to Myrage, LLC c/o Atlantic Management for Relief from the Automatic Stay [Docket No. 835; Filed 1/20/20].

Status: The parties have been working to reach a resolution of this matter without incurring the expense of litigation. A request to adjourn this matter to a hearing on March 5, 2020 at 10:00 a.m. has been submitted to the Court and is pending.

MATTERS GOING FORWARD

9. **None. All matters are being adjourned, subject to approval by the Court of the pending adjournment requests noted above.**

Dated: February 12, 2020

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